

VZCZCXRO9112
RR RUEHNZ
DE RUEHWL #0284/01 1000243
ZNR UUUUU ZZH
R 100243Z APR 07
FM AMEMBASSY WELLINGTON
TO RUEHC/SECSTATE WASHDC 4122
INFO RUEHNZ/AMCONSUL AUCKLAND 1276

UNCLAS SECTION 01 OF 02 WELLINGTON 000284

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SENSITIVE

STATE FOR D (FRITZ), EAP/FO, AND EAP/ANP

E.O. 12958: N/A

TAGS: [PGOV](#) [NZ](#)

SUBJECT: CONTENTIOUS LEGISLATION AND POLICE ABUSE BRING TRYING TIMES
FOR NZ GOVERNMENT

Summary

¶1. (SBU) These are trying times for PM Clark, despite near universal kudos for her performance during her March trip to the U.S. Her Government is fending off widespread public dissent over legislation to ban the use of physical force to discipline children. Growing evidence of sexual abuse and corruption by former and current officers has provoked a storm of concern, even though the Government has not been criticized directly. Clark still remains in control, but these issues have created an unprecedented challenge to her personal popularity from opposition leader John Key, who continues to gain in political opinion polls. End Summary
Government spanked for trying to regulate smacking

¶2. (SBU) A bill currently before Parliament which effectively seeks to outlaw the use of physical force to discipline a child has ignited fierce debate throughout New Zealand. PM Clark and many child advocacy groups regard the bill as means to lower the incidence of child abuse. However, a vast majority of New Zealanders object to what it sees as a ban on disciplinary smacking (spanking) that creates an assault on family values and an unwanted intrusion by the state into family life. A recent poll found that only 18% of Kiwis support the bill.

¶3. (SBU) Although the controversial bill is a "members bill" sponsored by a Green Party MP, the public associates it with PM Clark and her Government. Prior to the last election, Clark denounced any attempt to outlaw the use of physical force to discipline a child. Some analysts suspect that Clark's about face is tied to a post-election cooperation agreement she made with the Greens.

¶4. (SBU) Desperate to take the heat out the debate, the Government has tried to speed up the bill's passage through Parliament. Labour MPs have told us this is so that the public can see that the legislation will not result in law-abiding parents being sent to prison. The Parliament only considers members bills only once a month on average. In its first attempt to speed things up, the Government tried to push the bill through Parliament "under urgency" - an extraordinary sitting of Parliament called by the Government in which bills are rapidly moved through all remaining stages until completed irrespective of how long it takes. After receiving flak over the tactic from the public and Labour's support parties (United Future, NZ First, and the Progressives), the Government pulled back.

It is now contemplating taking outright ownership of the bill by putting it on the Government legislative program. This will mean it would become a Government bill allowing for a quicker passage through Parliament than a members bill. Labour's coalition partner parties still publicly voice support for the bill, and at present it has enough support to pass by a thin margin. Yet some of these support parties (notably Foreign Minister Peter's NZ First) are split over whether to continue support a bill that is so clearly against the will of the majority of Kiwis.

¶5. (SBU) The Government has announced that the next step is a PR blitz to turn around public attitudes on the bill and mitigate any further damage it has caused. However, as long as the bill remains

before Parliament, and it is set to do so for a while yet, it will continue to cause the Government much angst.
Government acts to restore eroding faith in NZ Police

¶6. (SBU) The New Zealand Police Force is facing a loss of credibility and public trust following the exposure of instances of misconduct and abuse of power, mainly of a sexual nature, over the past 20 years. A recently released Commission of Inquiry, instigated after a succession of high-profile cases of sexual abuse and a few cases of high-level cover-ups by former and current police officers, found a litany of police misconduct. As a result of these cases and the report findings, which prompted an unprecedented public mea culpa from the Police Commissioner, public faith in NZ policing has been eroded. The Government has moved swiftly to restore faith in the police by promising to implement the recommendations of the report. PM Clark has publicly urged women to come forward if they are the victims of police sexual abuse.
Comment: Kiwis warming to John Key as their next PM?

¶7. (SBU) PM Clark is still firmly in control of her party and Government, but the anti-smacking bill and police cases appear to be taking a toll on her popularity. Recent polling to measure who Kiwis prefer as their PM shows that opposition National Party leader John Key's popularity has continued to climb steadily at the expense of PM Clark. Since Clark became PM in 1999, there has always been daylight between her and the next person in preferred PM polling. However, the latest Colmar Brunton and 3 News/TNS polls show that although Clark still remains the top choice the gap between her and Key is now close to within the margin of error (between 3 and 8 percent). The Government's missteps seem to have played into Key's efforts to portray Labour as tired and out of touch. Key's efforts to court moderate, urban liberals - traditionally Labour supporters - may also be beginning to reap dividends. While Clark's successful Washington trip in March received widespread and positive media

WELLINGTON 00000284 002 OF 002

play, it does not appear to have outweighed public dissatisfaction with the controversies that surround her. End Comment
McCormick